



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,083	12/30/2003	Matthew D. Fitzpatrick	CS23585RA/10-193	7971
<div>51874 7590 10/31/2007 LAW OFFICES OF CHARLES W. BETHARDS, LLP P.O. BOX 1622 COLLEYVILLE, TX 76034</div>			<div>EXAMINER AMINZAY, SHAIMA Q</div> <div>ART UNIT PAPER NUMBER 2618</div> <div>MAIL DATE DELIVERY MODE 10/31/2007 PAPER</div>	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

**MAILED**

**OCT 31 2007**

**Technology Center 2600**

**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Application Number: 10/749,083  
Filing Date: December 23, 2002  
Appellant(s): Fitzpatrick, Matthew D.

Fitzpatrick, Matthew D.  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed July 20, 2007 appealing from the Office action mailed September 1, 2006.

**(1) Real Party in Interest**

A statement identifying by name the real party in interest is contained in the brief.

**(2) Related Appeals and Interferences**

The examiner is not aware of any related appeals, interferences, or judicial proceedings, which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

The statement of the status of claims contained in the brief is correct.

**(4) Status of Amendments After Final**

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) Summary of Claimed Subject Matter**

The summary of claimed subject matter contained in the brief is correct.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

**(7) Claims Appendix**

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(8) Evidence Relied Upon**

6,873,854	Crockett et al.	2-14-2002
6,990,353	Florkey et al.	2-19-2003

**(9) Grounds of Rejection**

The following grounds of rejection are applicable to the appealed claims:

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crockett (Crockett et al., U. S. Patent 6,873,854) in view of Florkey (Florkey et al., U. S. Patent 6,990,353).

Regarding claim 1, Crockett discloses a method of determining availability of

members of a contact list in a wireless communication system (*e.g., Fig 1, cl 1, ln 15-28, cl 2, ln 11-30, 46-50, cl 18, ln 14-21, configuring the availability of members in the group (contact) list in a wireless communication system*), wherein the method comprises: determining an availability status of members of a contact list by receiving messages at a controller that indicate changes in availability of client devices associated with the contact list (*e.g., Fig 1, cl 2, ln 16-22, cl 6, ln 7-13, cl 8, ln 30-38, cl 11, ln 9-20, cl 17, ln 1-16, cl 19, ln 26-41, cl 22, ln 46-53, the configuring the availability of the group members list by receiving the client availability message to make connection (contact) with the group members at the controller (e.g. MCU)*); the contact list corresponding to a particular client device (*e.g., Abstract, ln 1-9, cl 2, ln 11-16, cl 7, ln 41-46, cl 11, ln 9-20, cl 21, ln 28-40, the list of contacts (members) directly matches (corresponds) to the specific client (user) device*); and from the controller to the particular client device without a request from the particular client device (*e.g., Abstract, ln 1-9, cl 2, ln 11-16, cl 7, ln 41-46, cl 11, ln 9-20, cl 21, ln 28-40, without asking (requesting) the particular client (user)*) transmitting information regarding the availability of the client devices [*only when a change has occurred*] in the availability of one or more of the client device (*e.g., cl 6, ln 7-13, cl 8, ln 30-38, cl 11, ln 9-20, cl 19, 26-41, cl 20, ln 60-67, cl 21, 1-7, cl 22, ln 46-53, the information is being transmitted to the client device (CD) according to the users availability in the list*).

Crockett does not specifically teach transmitting to the client device (CD) only when a change has occurred, however, Crockett teaches transmitting information to the client device (CD) according to the users availability (*e.g., cl 6, ln 7-13, cl 8, ln 30-38, cl 11, ln*

*9-20, cl 19, ln 26-41, cl 20, ln 60-67, cl 21, l-7, cl 22, ln 46-53).*

In a related art dealing with availability of cellular members of a buddy (contact) list in a wireless communication system (*e.g., Fig 1, cl 1, ln 20-30, cl 2, ln 46-50, cl 3, ln 13-24, ln 36-55*), Florkey teaches transmitting only when a change has occurred (*e.g., Fig 1, cl 1, ln 20-37, cl 2, ln 46-50, cl 3, ln 13-24, ln 36-55, transmitting notification to the mobile station (client device) when a change occurs*).

It would have been obvious to one of ordinary skill in the art at the time invention was made to have included Florkey's wireless communication system list members availability change notification with Crockett's wireless communication system list members availability change to provide wireless communication system controlling list members availability notifications with real-time availability status presentation and "enhanced information about the call status availability of mobile stations" (*Florkey, e.g., cl 1, ln 38-41, 55-56*).

Regarding claim 5, Crockett discloses a method of indicating availability of a wireless client device that is associated with a contact list in a wireless communication system (*e.g., Fig 1, cl 1, ln 15-28, cl 2, ln 11-30, 46-50, cl 18, ln 14-21, configuring the availability of members in the group (contact) list in a wireless communication system*), wherein the method comprises: detecting a change in availability of the wireless client device (*e.g., Fig 1, cl 2, ln 16-22, cl 6, ln 7-13, cl 8, ln 30-38, cl 11, ln 9-20, cl 17, ln 1-16, cl 19, ln 26-41, cl 22, ln 46-53, the controller (e.g. MCU) configures the availability of the group member by receiving the client availability message to make connection*

*(contact) with the group members); [when a change in] availability of the client device is detected (e.g., Fig 1, cl 2, ln 16-22, cl 6, ln 7-13, cl 8, ln 30-38, cl 11, ln 9-20, cl 17, ln 1-16, cl 19, ln 26-41, cl 22, ln 46-53, availability status and change of availability), transmitting a message from the client device to a controller (e.g., Fig 1, cl 2, ln 16-22, cl 6, ln 7-13, cl 8, ln 30-38, cl 11, ln 9-20, cl 17, ln 1-16, cl 19, ln 26-41, cl 22, ln 46-53, mobile message to controller); and receiving from the controller, based on a periodic determination of whether changes in availability of other client devices have occurred, a message indicating the availability of the other client devices (e.g., cl 6, ln 7-13, cl 8, ln 30-38, cl 11, ln 9-20, cl 19, 26-41, cl 20, ln 60-67, cl 21, 1-7, cl 22, ln 46-53, mobile message to controller, and periodically determining the client device availability and other member of the group availability).*

Crockett does not specifically teach transmitting when a change has occurred, however, however, Crockett teaches transmitting information to the client device (CD) according to the users availability (e.g., cl 6, ln 7-13, cl 8, ln 30-38, cl 11, ln 9-20, cl 19, ln 26-41, cl 20, ln 60-67, cl 21, 1-7, cl 22, ln 46-53, transmitting information to the client device (CD) according to the users availability that is the availability status including status change).

In a related art dealing with availability of cellular members of a buddy (contact) list in a wireless communication system (e.g., Fig 1, cl 1, ln 20-30, cl 2, ln 46-50, cl 3, ln 13-24, ln 36-55), Florkey teaches transmitting when a change has occurred (e.g., Fig 1, cl 1, ln 20-37, cl 2, ln 46-50, cl 3, ln 13-24, ln 36-55, transmitting notification to the mobile station (client device) when a change occurs).

It would have been obvious to one of ordinary skill in the art at the time invention was made to have included Florkey's wireless communication system list members availability change notification with Crockett's wireless communication system list members availability change to provide wireless communication system controlling list members availability notifications with real-time availability status presentation and "enhanced information about the call status availability of mobile stations" (*Florkey, e.g., cl 1, ln 38-41, 55-56*).

Regarding claim 15, Crockett discloses a method of updating the availability of members of a contact list in a wireless client device (*e.g., Fig 1, cl 1, ln 15-28, cl 2, ln 11-30, 46-50, cl 18, ln 14-21, configuring the availability of members in the group (contact) list in a wireless communication system*), wherein the method comprises: receiving from a controller a wireless message concerning the availability of other client devices (*e.g., Fig 1, cl 2, ln 16-22, cl 6, ln 7-13, cl 8, ln 30-38, cl 11, ln 9-20, cl 17, ln 1-16, cl 19, ln 26-41, cl 22, ln 46-53, messages are being received and the controller (e.g. MCU) informs on the clients availability fro making connection (contact) with the group members*), the receiving based on a periodic determination of whether changes in availability of other client devices associate with the contact list have occurred (*e.g., Fig 1, cl 2, ln 16-22, cl 6, ln 7-13, cl 8, ln 30-38, cl 11, ln 9-20, cl 17, ln 1-16, cl 19, ln 26-41, cl 22, ln 46-53, the configuring the availability of the group members list by receiving the client availability message to make connection (contact) with the group members at the controller (e.g. MCU)*); and which are associated with the contact list (*e.g., Abstract, ln 1-9, cl 2, ln 11-*



*16, cl 7, ln 41-46, cl 11, ln 9-20, cl 21, ln 28-40, the list of contacts (members) directly matches (corresponds) to the specific client (user) device), [only when a change has occurred] in the availability of at least one of the other client devices (e.g., cl 6, ln 7-13, cl 8, ln 30-38, cl 11, ln 9-20, cl 19, 26-41, cl 20, ln 60-67, cl 21, 1-7, cl 22, ln 46-53, the information is being transmitted to the client device (CD) according to the users availability in the list); and storing information from the wireless message concerning the availability of the other client devices in a memory of the wireless device (e.g., cl 8, ln 30-44, cl 11, ln 34-44, cl 18, ln 49-58, cl 19, ln 26-41, cl 20, ln 21-37, availability of the mobile device (client device) stored in memory).*

Crockett does not specifically teach transmitting to the client device (CD) only when a change has occurred, however, Crockett teaches transmitting information to the client device (CD) according to the users availability (e.g., cl 6, ln 7-13, cl 8, ln 30-38, cl 11, ln 9-20, cl 19, ln 26-41, cl 20, ln 60-67, cl 21, 1-7, cl 22, ln 46-53).

In a related art dealing with availability of cellular members of a buddy (contact) list in a wireless communication system (e.g., Fg 1, cl 1, ln 20-30, cl 2, ln 46-50, cl 3, ln 13-24, ln 36-55), Florkey teaches transmitting only when a change has occurred (e.g., Fg 1, cl 1, ln 20-37, cl 2, ln 46-50, cl 3, ln 13-24, ln 36-55, transmitting notification to the mobile station (client device) when a change occurs).

It would have been obvious to one of ordinary skill in the art at the time invention was made to have included Florkey's wireless communication system list members availability change notification with Crockett's wireless communication system list members availability change to provide wireless communication system controlling list

members availability notifications with real-time availability status presentation and “enhanced information about the call status availability of mobile stations” (*Florkey, e.g., cl 1, ln 38-41, 55-56*).

Regarding claim 2, Crockett in view of Florkey teach all the limitations of claim 1, further, Crockett teaches wherein the method includes: storing the changes in availability of the client devices in a queue (*e.g., cl 2, ln 11-30, cl 7, ln 27-34, cl 8, ln 52-56, cl 10, ln 16-22, the availability changes of the group members (CDs) being stored in the list (queue)*); and periodically transmitting the changes in availability that are in the queue to the particular client devices (*e.g., cl 7, ln 27-34, cl 8, ln 52-56, cl 18, ln 59-67, cl 19, ln 1-11, cl 20, ln 60-67, cl 21, ln 1-7, the changes in availability that are stored are being transmitted to the client device (CD)*), and further, Florkey teaches the mobile station (client device) storing the updated buddy list (queue) (*e.g., cl 9, ln 28-54*).

Regarding claim 3, Crockett in view of Florkey teach all the limitations of claim 1, and further, Crockett teaches starting a timer (*e.g., cl 7, ln 27-46, cl 9, ln 32-40, cl 10, ln 40-50, the periodically storing has start and stop (expiration)*); storing the changes in availability of the client devices in a queue (*e.g., cl 7, ln 27-34, cl 8, ln 52-56, cl 9, ln 32-40, cl 10, ln 16-22, 40-50, the availability change (e.g. re-registering) of the mobile (client device) in a list (queue)*); when the timer expires (*e.g., cl 7, ln 27-34, cl 8, ln 52-56, cl 9, ln 32-40, cl 10, ln 16-22, 40-50, the periodically storing has start and stop (expiration)*), transmitting the changes in availability that are in the queue to the

particular client devices; and resetting the timer (*e.g., cl 7, ln 27-34, cl 8, ln 52-56, cl 9, ln 32-40, cl 10, ln 16-22, 40-50, the periodically storing has start and stop (expiration), the timer resets for next period of storing information or group calls*).

Regarding claim 4, Crockett in view of Florkey teach all the limitations of claim 1, and further, Crockett teaches if the transmitting has been performed (*e.g., cl 7, ln 27-34, cl 8, ln 52-56, cl 9, ln 32-40, cl 10, ln 16-22, 40-50, performed transmission*), the method includes delaying a subsequent transmission of contact list availability information until a time interval has passed (*e.g., cl 7, ln 27-34, cl 8, ln 52-56, cl 9, ln 32-40, cl 10, ln 16-22, 40-50, 27, ln 8-22, ln 66-69, transmitting the group list availability in a periodically and delaying for the time (period) to expire*).

Regarding claim 6, Crockett in view of Florkey teach all the limitations of claim 5, and further, Crockett teaches receiving from the controller a message that indicates the availability of the other client devices associated with the contact list when a change has occurred in the availability of any of the other client devices (*e.g., Fg 1, cl 6, ln 7-13, cl 8, ln 30-44, cl 9, ln 65-67, cl 10, ln 16-22, cl 11, ln 9-33, cl 16, ln 58-67 continued to cl 17, ln 1-20, cl 18, ln 49-58, availability of the mobile device (client device)*), the message including all changes in availability of the other client device since a previous periodic determination of changes in availability of the other client device (*e.g., Fg 1, cl 4, ln 4-26, cl 10, ln 53-58, cl 11, ln 34-44, cl 6, ln 7-13, cl 12, ln 11-16, ln 55-62, cl 14, ln 61-65, cl 18, ln 9-13, ln 49-58, cl 19, ln 26-41, cl 21, ln 8-19, ln 60-67 continued to cl 22, ln 1-2,*

*ln 46-55).*

Regarding claim 7, Crockett in view of Florkey teach all the limitations of claim 5, and further, Crockett teaches receiving from the controller a message that indicates only changes in the availability of other client devices associated with the contact list (*e.g., Fig 1, cl 6, ln 7-13, cl 8, ln 30-44, cl 9, ln 65-67, cl 10, ln 16-22, cl 11, ln 9-33, cl 16, ln 58-67 continued to cl 17, ln 1-20, cl 18, ln 49-58, availability of the mobile device (client device)*)).

Regarding claims 8 and 17, Crockett in view of Florkey teach all the limitations of claims 5, 15, and further, Crockett teaches detecting a change in availability when the client device is being turned off (*e.g., cl 17, ln 49-65, cl 14-21*)).

Regarding claims 9 and 18, Crockett in view of Florkey teach all the limitations of claims 5, 15, and further, Crockett teaches detecting a change in availability when the client device is moving out of a geographic service area of the wireless communication system (*e.g., cl 7, ln 56-63, cl 9, ln 58-64*)).

Regarding claims 10 and 19, Crockett in view of Florkey teach all the limitations of claims 5, 15, and further, Crockett teaches detecting a change in availability when the client device moves out of a first service area and into a second service area of the wireless communication system (*e.g., cl 10, ln 53-61, moved to out of service area*)).

Regarding claims 11 and 20, Crockett in view of Florkey teach all the limitations of claims 10, 15, and further, Crockett teaches wherein the first service area is a digital service area and the second area is an analog service area (*e.g., cl 4, ln 37-47, cl 5, ln 15-21, cl 9, ln 58-64, cl 2, ln 42-50, cl 4, ln 4-15, the CDMA or digital service area, and Push-To-Talk the analog service area*).

Regarding claim 12, Crockett in view of Florkey teach all the limitations of claim 5, and further, Crockett teaches wherein the client device is associated with more than one contact list (*e.g., cl 2, ln 16-22, cl 8, ln 35-44, cl 12, ln 17-22, cl 15, ln 47-54, cl 21, ln 8-19*).

Regarding claim 13, Crockett in view of Florkey teach all the limitations of claim 5, and further, Florkey teaches wherein the transmitting is performed only when a change in availability of the client device is detected (*e.g., Fg 1, cl 1, ln 20-30, cl 2, ln 46-50, cl 3, ln 13-24, ln 36-55*).

Regarding claims 14 and 21, Crockett in view of Florkey teach all the limitations of claim 5, 15, and further, Crockett teaches wherein the method is performed by a mobile telephone (*e.g., Fg 1, cl 1, ln 20-30, cl 2, ln 46-50, cl 3, ln 13-24, ln 36-55, cl 18, ln 49-67 continued to cl 19, ln 1-11*).

Regarding claim 16, Crockett in view of Florkey teach all the limitations of claim 15, and further, Crockett teaches wherein the method comprises: detecting a change in availability of the wireless client device (*e.g.*, *Fig 1, cl 6, ln 7-13, cl 8, ln 30-44, cl 9, ln 65-67, cl 10, ln 16-22, cl 11, ln 9-33, cl 16, ln 58-67 continued to cl 17, ln 1-20, availability status and changes*); and when a change in availability of the wireless client device is detected (*e.g.*, *Fig 1, cl 6, ln 7-13, cl 8, ln 30-44, cl 9, ln 65-67, cl 10, ln 16-22, cl 11, ln 9-33, cl 16, ln 58-67 continued to cl 17, ln 1-20, availability status and change of availability*), transmitting a wireless message from the wireless client device to the controller (*e.g.*, *Fig 1, cl 4, ln 4-26, cl 11, ln 34-44, cl 18, ln 49-58, cl 19, ln 26-41, cl 21, ln 8-19, ln 60-67 continued to cl 22, ln 1-2, ln 46-50, mobile message to controller*), wherein the message signals the change in availability of the wireless client device to the controller (*e.g.*, *Fig 1, cl 4, ln 4-26, cl 11, ln 34-44, cl 6, ln 7-13, cl 18, ln 49-58, cl 19, ln 26-41, cl 21, ln 8-19, ln 60-67 continued to cl 22, ln 1-2, ln 46-50, mobile message to controller*), and further, Florkey teaches when change in availability transmit message (*e.g.*, *Fig 1, cl 1, ln 20-30, cl 2, ln 46-50, cl 3, ln 13-24, ln 36-55*).

### **(10) Response to Argument**

Regarding claims 1-21 Applicant's arguments are fully considered but they are not persuasive (pages 4-7).

#### **Claims 1-4**

Applicant argues that Crockett in view of Florkey do not teach the following claimed limitations:

Regarding independent claim 1, Crockett does not teach "determining availability of members of a contact list in a wireless communication system", and "determining an availability status of members of a contact list by receiving messages at a controller that indicate changes in availability of client devices associated with the contact list".

Examiner disagrees, Crockett discloses configuring the availability of members in a talk group (contact) list in a wireless communication system and configuring the availability of the group members in the list by the controller (e.g., MCU) that is receiving messages to make connections with the client members (CD), for example, configuring the participant members talk group list including authentication and participation status such as "the current member's identification status in the net, such as whether the member is actively participating in the net, a priority code for determining how the transmission privilege is assigned, a date telephone number associated with the CD, and IP address associated with the CD...", and "each net definition includes a net identifier, a list of members, including phone numbers or other identifying information ..." (e.g. *cl 1, ln 15-*

38, cl 2, ln 25-30, cl 19, ln 26-41, cl 20, ln 60-67, cl 21, ln 1-10, 30-32, 66-67, cl 22, ln 1-2, and refer to "Ground of Rejection"). Further, the applicant argues that Crockett does not teach "the contact list corresponding to a particular client device; and from the controller to the particular client device without a request from the particular client device transmitting information regarding the availability of the client devices".

Examiner disagrees, Crockett discloses the members (contact) list is directly matches (corresponds) the specific client device (CD) as the members list identifies the user device that is being used in the group talk, and the controller transmits the availability of the client devices to the specific client device without request to send from the client device to more than one client device (*e.g.* cl 20, ln 60-67, cl 21, ln 1-7, and refer to "Ground of Rejection"). Examiner agrees with applicant that Crockett does not specifically teach transmitting to the client device (CD) only when a change has occurred, however, Crockett teaches transmitting information to the client device (CD) according to the users availability and attempt to change, meaning that the information is being transmit to the client device attempting participation or users being available, for example "the current member's identification status in the net, such as weather the member is actively participating in the net, a priority code for determining how the transmission privilege is assigned, a date telephone number associated with the CD, and IP address associated with the CD...", and "MCU 116 may authenticate the party who attempts to establish or modify a net" (*e.g.*, cl 6, ln 7-13, cl 19, ln 26-41, cl 20, ln 60-67, cl 21, ln 1-7, 30, and refer to "Ground of Rejection"), and that is why the claims are rejected under 103 Claim Rejections. In related art dealing with availability of cellular members of a



buddy (contact) list in a wireless communication system, Florkey teaches transmitting notification to the mobile station (client device) when a change occurs.

It would have been obvious to one of ordinary skill in the art at the time invention was made to have included Florkey's wireless communication system list members availability change notification with Crockett's wireless communication system list members availability change to provide wireless communication system controlling list members availability notifications with real-time availability status presentation and "enhanced information about the call status availability of mobile stations" (*Florkey, e.g., cl 1, ln 38-41, 55-56*).

Regarding dependent claim 2, applicant argues that Crockett in view of Florkey do not teach "wherein the method includes: storing the changes in availability of the client devices in a queue; and periodically transmitting the changes in availability that are in the queue to the particular client devices". Examiner disagrees, Crockett in view of Florkey teach all the limitations of claim 1, further, Crockett teaches the availability changes of the group members (CDs) being stored in a list (queue) in memory (*e.g., cl 7, ln 27-34, cl 20, ln 60-67, cl 21, ln 1-7, and refer to "Ground of Rejection"*), further, Florkey teaches the mobile station (client device) storing the updated buddy list (queue) (*refer to "Ground of Rejection"*), and further, the list (contact list) is being stored in memory that is well known in the art that computing and storing list in a memory requires stack or queue that is part of the computerized servers and user equipments such as wireless devices and that is an standard process.

Regarding dependent claim 3, applicant argues that Crockett in view of Florkey do not teach “wherein the method includes: starting a timer; storing the changes in availability of the client devices in a queue; when the timer expires, transmitting the changes in availability that are in the queue to the particular client devices; and resetting the timer”. Examiner disagrees, Crockett in view of Florkey teach all the limitations of claim 1, and further, Crockett teaches the availability changes of the group members (CDs) being stored in a list (queue) periodically that includes the start time of the storing when storing starts and the time when storing data stops at the end of a period that is expiration time (*refer to “Ground of Rejection”*), and further, it is well known in the art that any computerized server or wireless device (client device) include an stack or queue to store a list (members list) and contain a pointer to point at the beginning of a stack storing the list that can be started in the start of a timer within a dedicated period for the pointer and pointer keeps moving to the end of the stack that is when the time ends, and the timer can be reset and these are part of the standard computerized servers and wireless devices processor operations.

Regarding dependent claim 4, applicant argues that Crockett in view of Florkey do not teach “wherein, if the transmitting has been performed, the method includes delaying a subsequent transmission of contact list availability information until a time interval has passed”. Examiner disagrees, Crockett in view of Florkey teach all the limitations of claim 1, and further, Crockett teaches when transmitting the group list (contact list)

availability within a period of time, the delay is included for the transmission to be completed (*refer to "Ground of Rejection"*), and further, it is well in the art that data and voice transmission within a period needs to be completed and a time delay allows the transmission to completed before the next set of data/voice is being transmitted.

Crockett and Florkey are analogous to the applicants teaching and clearly disclose the claimed invention, that's why they do obviate.

#### **Claims 5 and 15**

Examiner agrees as the applicant remarks (*Appellants' Brief page 6-7*) that "Claims 5-21 corresponds either directly or indirectly with independent claims 5 and 15", and "for the same reasons noted above with respect to claims 1, 3, and 4, and the corresponding discussion of the claimed communication and/or management of the ...", therefore, the response to applicant's arguments and/or remarks either directly or indirectly is similar to the response to applicant's arguments with respect to independent claim 1 (*as above in this section*).

#### **Claims 6-14, 16-21**

Claims 6-14, and 16-21 are dependent of independent claims 5, and 15 are rejected for the same reasons set for claims 5 and 15.

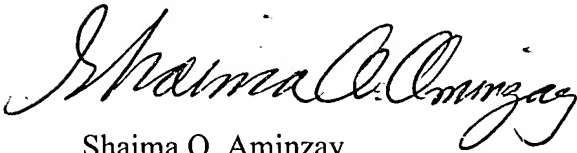
#### **(11) Related Proceeding(s) Appendix**

Art Unit: 2618

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

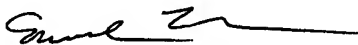
For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,



Shaima Q. Aminzay

Conferees:

  
EDWARD F. URBAN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

MATTHEW ANDERSON  
SUPERVISORY PATENT EXAMINER